

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

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YAAKOV LICCI, et al.

Plaintiffs,

Civ. No. 08-07253-GBD

-against-

AMERICAN EXPRESS BANK LTD. et al.

**DECLARATION OF
UZI SHAYA**

Defendants.

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I, Uzi Shaya, declare pursuant to 28 U.S.C. § 1746 as follows:

I. Personal and Professional Background

1. I was born in Israel in 1960.
2. My education includes a B.A. in National Security and Social Studies from Bar Ilan University in Ramat Gan, Israel, additional studies at the Technion University in Haifa, Israel (1981-1984) and advanced management courses given by the Israeli intelligence services.
3. Between 1984 and 2001 I served in various positions in operational and intelligence-gathering units of the Israeli intelligence services and commanded operational and intelligence-gathering units in Israel and abroad.

4. Between 2001 and 2004 I served as the head of the Latin America desk in Israel's General Security Services ("GSS"). The GSS is Israel's main domestic intelligence agency, roughly equivalent in purpose and function to the FBI in the United States.

5. Between 2004 and 2008 I held two positions with the Counterterrorism Staff of Israel's National Security Council: (1) Deputy Chief of the Interagency Unit for Combating Terrorist Financing and Financing of State Sponsors of Terrorism and (2) Chief of the Operational Staff of the Interagency Unit for Combating Terrorist Financing and Financing of State Sponsors of Terrorism.

6. I retired from active service in 2008, but I continue to provide assistance to the Counterterrorism Staff of Israel's National Security Council and to the Israeli government in respect to the matters I dealt with in my former positions. In the context of this assistance I was requested to examine documents in the possession of the State of Israel relating to funds transfers carried out by the Hizbollah terrorist organization via American Express Bank Ltd. ("Amex Bank") and Lebanese Canadian Bank SAL ("LCB"). Except for my testimony in the final paragraph of this Declaration, all my testimony herein is based upon my examination of the aforementioned documents.

II. The Hizbollah Funds Transfers

7. For many years (including the period between 2004 and July 12, 2006) Hizbollah maintained bank accounts at various LCB branches in Lebanon.

8. Some of the accounts maintained by Hizbollah at LCB's branches in Lebanon between 2004 and July 12, 2006 were titled to the Shahid (Martyrs) Foundation ("Shahid"). I will refer to these accounts below as "Hizbollah-Shahid Accounts."

9. Shahid (which is also known as the "Shahid (Martyrs) Organization" or "Shaheed") is part and parcel of Hizbollah itself and serves as an important component of Hizbollah's financial apparatus.

10. Hizbollah uses and has always used the funds held under the name Shahid, including the funds held in, and transferred in and out of, the Hizbollah-Shahid Accounts, to prepare for and carry out a wide range of terrorist and other violent activities, including rocket and missile attacks on Israel.

11. One of the Hizbollah-Shahid Accounts was account number 108987.

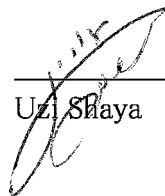
12. During the between period 2004 and July 12, 2006 (and later) Hizbollah made dozens of dollar wire transfers in and out of account number 108987 at LCB in Lebanon (which, as noted above, is one of the Hizbollah-Shahid Accounts which Hizbollah uses to hold and transfer funds utilized by Hizbollah for terrorism and violence). These wire transfers, which totaled several million dollars, were executed by LCB through Amex Bank in New York, which acted as LCB's correspondent bank for these dollar transfers. In other words, LCB specifically requested Amex Bank in New York to carry out all these dollar wire transfers, and Amex Bank processed all these dollar wire transfers by and through its New York branch.

13. LCB's requests to Amex Bank to carry out these wire transfers identified Shahid as the account-holder. Thus, there is no question that Amex Bank knew that it was executing wire transfers on behalf of Shahid.

14. On the basis of my many years of experience combating terror financing and my deep familiarity with Hizbollah and its operations acquired during my professional career, I have no doubt that the millions of dollars of wire transfers carried out by Amex Bank and LCB for Hizbollah, described above, significantly enhanced Hizbollah's ability to plan and carry out terrorist and other violent actions, including the rocket attacks in which the plaintiffs in the above-captioned action were harmed.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

June 5, 2009



Uzi Shaya